



Growth Management Committee

**Tuesday, March 14, 2006
2:00 PM – 4:00 PM
212 Knott Building**

Committee Action

COMMITTEE MEETING REPORT

Growth Management Committee

3/14/2006 2:00:00PM

Location: 212 Knott Building

Attendance:

	<i>Present</i>	<i>Absent</i>	<i>Excused</i>
Randy Johnson (Chair)	X		
Anna Benson	X		
Jennifer Carroll	X		
Mike Davis	X		
D. Alan Hays	X		
Bob Henriquez	X		
Carlos Lopez-Cantera	X		
Ari Porth	X		
William Proctor	X		
Shelley Vana	X		
Totals:	10	0	0

Committee meeting was reported out: Tuesday, March 14, 2006 5:23:48PM

COMMITTEE MEETING REPORT

Growth Management Committee

3/14/2006 2:00:00PM

Location: 212 Knott Building

HB 431 CS : Electrical Transmission and Distribution

☒ *Favorable With Committee Substitute*

	Yea	Nay	No Vote	Absentee Yea	Absentee Nay
Anna Benson	X				
Jennifer Carroll	X				
Mike Davis	X				
D. Alan Hays	X				
Bob Henriquez		X			
Carlos Lopez-Cantera	X				
Ari Porth		X			
William Proctor	X				
Shelley Vana		X			
Randy Johnson (Chair)	X				
Total Yeas: 7		Total Nays: 3			

Appearances:

Electrical Transmission and Distribution

Eric Poole (Lobbyist) (General Public) - Opponent

Florida Association of Counties

100 S. Monroe Street

Tallahassee FL 32301

Phone: 850-922-4300

Electrical Transmission and Distribution

Frank Matthews (State Employee) (General Public) - Proponent

Florida Electric Power Coordinating Group

P. O. Box 6526

Tallahassee FL 32301

Phone: 850-222-7500

Electrical Transmission and Distribution

Rebecca O'Hara (Lobbyist) - Opponent

Florida League of Cities

P. O. Box 1757

Tallahassee FL 32302

Phone: 850-222-9684

Electrical Transmission and Distribution

Lawrence J. Smith (Lobbyist) - Opponent

City of Hallandale Beach

3111 Stirling Road C-308

Ft. Lauderdale Ft. Lauderdale 33312

Phone: 954-985-4171

Committee meeting was reported out: Tuesday, March 14, 2006 5:23:48PM

COMMITTEE MEETING REPORT

Growth Management Committee

3/14/2006 2:00:00PM

Location: 212 Knott Building

Other Business Appearance:

DRI

Valerie Hubbard, Director, Division of Community Planning (Lobbyist) (State Employee) - Information Only

Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee FL
Phone: 850-487-4545

DRI

Wade Hopping (Lobbyist) (General Public) - Proponent
Association of Florida Community Developers
710 N. Ride Rd.
Tallahassee FL 32303
Phone: 850-222-7500

DRI

Pat Rose (Lobbyist) (General Public) - Information Only
Save the Manatee Club
5171 Widefield Road
Tallahassee FL 32309
Phone: 850-570-1373

SB 360 (2005) Glitch

Jay Marsh (Lobbyist) (General Public) - Information Only
LYNX
455 N. Garland Street
Orlando FL
Phone: 407-254-6064

SB 360 (2005) Glitch

Valerie Hubbard, Director, Division of Community Planning (Lobbyist) (State Employee) - Information Only
Department of Community Affairs
2555 Shumard Oak Blvd.
Tallahassee FL
Phone: 850-487-4545

SB 360 (2005) Glitch

Eric Poole (Lobbyist) (General Public) - Information Only
Florida Association of Counties
100 S. Monroe Street
Tallahassee FL 32301
Phone: 850-922-4300

Committee meeting was reported out: Tuesday, March 14, 2006 5:23:48PM

COMMITTEE MEETING REPORT

Growth Management Committee

3/14/2006 2:00:00PM

Location: 212 Knott Building

Summary:

Growth Management Committee

Tuesday March 14, 2006 02:00 pm

HB 431 CS Favorable With Committee Substitute

Yeas: 7 Nays: 3

Committee meeting was reported out: Tuesday, March 14, 2006 5:23:48PM

Committee on: Growth Management Committee

BILL NO HP 431 CS
Subject Electrical Transmission & Distribution
Date Received _____
Date Reported _____

☐ Favorable
☒ Favorable with Committee Substitute
☐ Temporarily Passed

VOTE:

[illegible]

Yeas	Nays			Yeas	Nays	Yeas	Nays	Yeas	Nays	Yeas	Nays
✓	✓	TOTALS									

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Growth Management
Committee

Representative(s) Littlefield offered the following:

Amendment (with title amendment)

Remove everything after the enacting clause and insert:
Section 1. Section 163.3207, Florida Statutes is created to
read:

163.3207 Substation approval process.

(1) It is the intent of the Legislature to maintain,
encourage, and assure adequate and reliable electrical
infrastructure in the state. It is essential that electric
infrastructure be constructed and maintained in various
locations in order to ensure the efficient and reliable delivery
of electric service. Electric infrastructure should be
constructed, to the maximum extent practicable, to achieve
compatibility with adjacent and surrounding land uses and the
criteria included in this section are intended to balance the
need for electricity with land use compatibility.

(2) The term "distribution electric substation" refers to
an electrical substation which takes electricity from the
transmission grid and converts it to a lower voltage so it can

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

54 equipment shall be protected by a security fence consistent with
55 the relevant local government's land development regulations.

56 2. For setbacks of less than 50 feet, an 8-foot buffer
57 wall or 8-foot fence with native landscaping consistent with the
58 relevant local government's regulations shall be installed
59 around the substation.

60 (5) If the application for a proposed distribution
61 electric substation demonstrates that the substation design is
62 consistent with the local government's applicable setback,
63 landscaping, buffering, screening and other aesthetic
64 compatibility-based standards, the application for development
65 approval for the substation shall be approved.

66 (6) Substation siting standards adopted after the
67 effective date of this act shall not apply to electric utility
68 substation applications that were submitted prior to the notice
69 of the local government's adoption hearing.

70 (7)(a) If a local government has adopted standards for the
71 siting of electric substations within any of the local
72 government's land use categories or zoning districts, the local
73 government shall grant or deny a properly completed application
74 for a permit to locate an electric substation within such land
75 use category or zoning district within 90 days after the date
76 the properly completed application is declared complete in
77 accordance with the applicable local government application
78 procedures. If the local government fails to grant or deny a
79 properly completed application for an electric substation within
80 the timeframes set forth, the application shall be deemed
81 automatically approved and the applicant may proceed with
82 construction consistent with its application without
83 interference or penalty. Issuance of such local permit does not
84 relieve the applicant from complying with applicable federal or

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

116 tree pruning or trimming, within said established right-of-way.
117 The term "vegetation maintenance and tree pruning or trimming"
118 means the mowing of vegetation within the right-of-way, removal
119 of trees or brush within the right-of-way, and selective removal
120 of tree branches that extend within the right-of-way. The
121 provisions of this paragraph do not include the removal of trees
122 outside the right-of-way, which may be allowed in compliance
123 with applicable local ordinances. Prior to conducting scheduled
124 routine vegetation maintenance and tree pruning or trimming
125 activities within an established right-of-way, the utility shall
126 provide the local government with a minimum of 5 business days
127 advance notice. Such advance notice is not required for
128 vegetation maintenance and tree pruning or trimming required to
129 restore electric service or to avoid an imminent vegetation-
130 caused outage, or when performed at the request of the property
131 owner adjacent to the right-of-way, provided that the owner has
132 approval of the local government, if needed. Upon the request
133 of the local government, the electric utility shall meet with
134 the local government to discuss and submit the utility's
135 vegetation maintenance plan, including the utility's trimming
136 specifications and maintenance practices. Vegetation
137 maintenance and tree pruning or trimming conducted by utilities
138 shall conform to ANSI A300 (Part I) - 2001 pruning standards
139 and ANSI Z133.1-2000 Pruning, Repairing, Maintaining, and
140 Removing Trees, and Cutting Brush - Safety Requirements.
141 Vegetation maintenance and tree pruning or trimming conducted by
142 utilities will be supervised by qualified electric utility
143 personnel or licensed contractors trained to conduct vegetation
144 maintenance and tree trimming or pruning consistent with this
145 section or by Certified Arborists certified by the Certification
146 Program of the International Society of Arboriculture. In no

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

178 within a general area is a distribution or transmission electric
179 substation, a listing of the proposed substations' site acreage
180 needs and anticipated capacity, and maps showing general
181 locations of the planned electric substations. This information
182 is advisory and shall be included in the regional planning
183 council's annual report prepared pursuant to Section 186.513,
184 Florida Statutes and will be supplied directly to local
185 governments requesting the information.

186 Section 4. Nothing in this act is intended to supersede
187 the provisions of Chapter 403, Part II.

188 Section 5. Section 186.513, Florida Statutes, is amended
189 to read:

190 186.513 Reports.-- Each regional planning council shall
191 prepare and furnish an annual report on its activities to the
192 state land planning agency as defined in s. 163.3164(20)
193 ~~department~~ and the local general-purpose governments within its
194 boundaries and, upon payment as may be established by the
195 council, to any interested person. The regional planning
196 councils shall make a joint report and recommendations to
197 appropriate legislative committees.

198 Section 6. This act shall take effect upon becoming a law.
199
200

201 ===== T I T L E A M E N D M E N T =====

202 Remove the entire title and insert:
203

204 A bill to be entitled

205 An act relating to electrical transmission and
206 distribution; creating s. 163.3207, F.S.; providing
207 legislative intent; providing a definition for
208 "distribution electric substation;" providing criteria for

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES

Amendment No. (for drafter's use only)

240 application of specified requirements to certain lines;
241 providing for application to local franchise authority and
242 removal of certain trees; creating s. 186.800, F.S.;
243 requiring electric utilities to notify the regional
244 planning council of plans to site electrical substations;
245 requiring the plans be included in the regional planning
246 council's annual report; providing that nothing in this
247 act supersedes chapter 403, Part II; amending s. 186.513,
248 F.S., providing a correction to an agency reference;
249 providing an effective date.

250

251

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES
Amendment No. 1 to Strike All

Bill No. 431 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ☒ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Growth Management Committee
Representative(s) M. Davis offered the following:

**Amendment 1 to Strike All Amendment by Representative
Littlefield (with directory and title amendments)**

Remove line(s) 9 and insert:

163.3208 Substation approval process.

===== D I R E C T O R Y A M E N D M E N T =====

Remove line(s) 7 and insert:

Section 1. Section 163.3208, Florida Statutes is created to

===== T I T L E A M E N D M E N T =====

Remove line(s) 206 and insert:

distribution; creating s. 163.3208, F.S.; providing

HOUSE AMENDMENT FOR COUNCIL/COMMITTEE PURPOSES
Amendment No. 2 to Strike All

Bill No. 431 CS

COUNCIL/COMMITTEE ACTION

ADOPTED _____ (Y/N)
ADOPTED AS AMENDED _____ (Y/N)
ADOPTED W/O OBJECTION ✓ (Y/N)
FAILED TO ADOPT _____ (Y/N)
WITHDRAWN _____ (Y/N)
OTHER _____

Council/Committee hearing bill: Growth Management Committee
Representative(s) M. Davis offered the following:

**Amendment 2 to Strike All Amendment by Representative
Littlefield (with directory and title amendments)**

Remove line(s) 168 and insert:

186.0201 Electric substation planning --.

===== D I R E C T O R Y A M E N D M E N T =====

Remove line(s) 166 and insert:

Section 3. Section 186.0201, Florida Statutes is

===== T I T L E A M E N D M E N T =====

Remove line(s) 242 and insert:

removal of certain trees; creating s. 186.0201, F.S.;